

CHAPTER 3

FLOOD CONTROL AND COASTAL EMERGENCIES APPROPRIATION 96X3125

3-1. Purpose. This chapter prescribes policies pertaining to the programming, managing and executing of the Flood Control and Coastal Emergencies (FC&CE) program. The FC&CE program is financed by appropriation 96X3125 and is authorized by Public Law (PL) 84-99, as amended. The Commander, USACE, has delegated responsibility for administration of this appropriation to CECW-OE.

3-2. Program Description. The six functions covered within this code are disaster preparedness, emergency operations, Rehabilitation and Inspection Program (RIP) (to include non-structural alternatives), emergency water supplies and drought assistance, Advance Measures, and hazard mitigation. A General Expenses (GE) or district overhead employee, who performs normal duties on behalf of categories 200-600, will charge only overtime and TDY to categories 200-600. "Straight time" (i.e., regular labor) continues to be charged to GE or overhead, as normal. A CDPP or category 100- or project- or reimbursable-funded employee, who performs duties under categories 200-600, will charge all time (including applied overhead) and TDY to categories 200-600. Military-funded military personnel, diverted from their normal assignment, will charge only TDY to categories 200-600.

a. Disaster Preparedness Program (DPP) (100). This category consists of functions required to ensure that a USACE activity is ready to respond to a broad range of disasters and emergencies. It includes planning, training, response exercises, supplies and equipment, operations and maintenance, and program management costs. Funding for salary costs of a Major Subordinate Command (MSC) emergency manager or team leader (whether permanent, temporary, or detailed) must be funded under the GE appropriation. Post disaster replenishment of supplies and equipment will be funded under class 240.

(1) All Hazards Planning Activities (110). This class includes the planning, preparation, and publication of supplements to ER 500-1-1, flood fight plans, hurricane or coastal storm response plans, earthquake response plans, tsunami response plans, emergency water supply and drought plans, emergency contact lists and telephone directories, field pocket manuals, and required Standard Operating Procedures (SOP) for PL 84-99 response and recovery activities. Also included are program management activities that support preparedness, such as general coordination (e.g. conferences, workshops, public meetings, etc.), supervision, and administration. DPP management reports will be developed and funded under this class. Also included are preparedness planning actions associated with response, recovery and mitigation operations under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121, et seq), and other like activities under other statutory authorities. Activities may include the development of local/regional disaster response plans and related program management.

(2) All Hazard Training and Exercises (120). This class includes the development of, and participation in, exercises and training in the inter- and intra-agency arena. The development of and participation in evaluation and corrective action programs will be funded under this class. Personnel external to the Readiness/Emergency Management organization, being trained in their normal duties or participating in an exercise as a functional specialist, continue to charge their functional account. This class funds training and exercise participation only for adjunct duties not related to an employee's normal line of work.

(3) Equipment, Facilities, Supplies (130). This class includes acquisitions, rent(s), utilities, and purchases necessary for normal office operations and to provide for a fully functional EOC and alternate EOC. This class does not include labor charges. Funding for the EOC is shared between this class and O&M, Gen, class 530. When the EOC is activated, funds for equipment, utilities, and supplies for the event will be funded from class 210.

(4) National or Regional Centers of Expertise (140). This class supports the Readiness/Emergency Management National or Regional Centers of Expertise (NRCE) and other preparedness projects/studies as determined by HQUSACE.

b. Emergency Operations (200). This category provides for response to disasters and includes field investigations of potential natural disasters, flood fighting and rescue operations, protecting Federally authorized and completed shore and hurricane protection projects, preparation of After Action Reports, Post Flood Response, operational supplies and equipment, support from others, and operational support.

(1) Response Operations (210). This class includes activation and operation of EOC's for all hazards, provision of technical assistance incidental to disasters, flood fighting activities (to include emergency contracting), loan of flood fighting equipment and material, liaison officer activities, and limited flood data collection. Preliminary Damage Assessment (PDA) and Damage Survey Report (DSR) training, if appropriate, will be funded under this class, when pre-approved by CECW-OE. This class also provides for the issuance of funds prior to the Commander's emergency declaration in anticipation of pre-event activities. With the exception of such pre-event costs, an emergency declaration by the MSC/District Commander is required before this authority may be invoked. This class, when pre-approved by CECW-OE, may be used to elevate the level of support by a supporting district. [Mississippi Valley Division (MVD): For the Mississippi River, Mississippi River and Tributaries (MR&T) geographical area, all flood fight costs will be funded with MR&T funds when such funds are available. If no MR&T funds are available, use of FC&CE funds is appropriate. All flood response supplies and equipment will be funded by FC&CE funds.]

(2) After Action Report (220). This class provides for the preparation and publication of after action reports at the Division/Regional or District level.

(3) Post Flood Response (230). This class includes all costs associated with response to a Governor's request for assistance under the Post Flood Response authority. Included are costs for investigations to determine eligibility of requested work and contract costs. NOTE: Post Flood Response assistance is limited to 10 days.

(4) Operational Supplies and Equipment (240). This class provides for purchase, maintenance, and repair of equipment (e.g., sandbag filling machines, pumps, Geographic Information System/Remote Sensing (GIS/RS) hardware and software, Deployable Tactical Operations System (DTOS), high frequency radios and generators). This class also provides for purchase of flood fight supplies (e.g., sandbags, plastic, pump hoses and high visibility items) to replenish and augment the stocks used during an event. This class also includes replenishment of office equipment and supplies, but only if used during activation of the EOC.

(5) Support from Others (250). This class encompasses support received from other Federal departments and agencies (such as the Federal Emergency Management Agency (FEMA), Bureau of Reclamation, and Department of Veterans Affairs) and other DOD organizations. This class can only be used during flood-related disasters for reimbursable work under PL 84-99.

(6) Operational Support (260). This class provides for CECW-OE identified personnel and/or organizations providing ongoing operational support incidental to known or potential threat(s) (e.g., GIS/RS Center; Waterways Experiment Station (CEWES); DTOS staff; National Hazards Research and Applications Information Center, University of Colorado; U.S. Army Corps of Engineers Finance Center (UFC); Advanced Contract Development). Professional development authorized in accordance with the annual budget EC is appropriately funded under this class.

c. Rehabilitation and Inspection Program (RIP) (300). This category includes costs for investigation of and rehabilitation of damaged Federal and non-Federal flood control works (FCW), Federally authorized and constructed hurricane or shore protection projects, and the eligibility inspections of non-Federal FCW.

(1) Rehabilitation Project - Federal FCW (310). This class includes the costs for the rehabilitation of eligible Federal FCW.

(2) Rehabilitation Project - Non-Federal FCW (320). This class includes costs for the rehabilitation of eligible non-Federal FCW.

(3) Rehabilitation Project - Hurricane/Shore Protection Project (330). This class includes the costs for the repair and restoration of eligible Federally authorized and constructed hurricane and shore protection projects.

(4) Field Investigation (340). This class includes costs for investigations and Project Information Report (PIR) preparation for proposed rehabilitation projects.

(5) Initial Eligibility Inspections (IEI) (350). This class includes IEI of non-Federal FCW.

(6) Continuing Eligibility Inspections (CEI) (360). This class includes performing CEI of non-Federal FCW under the RIP. This class includes all costs of database management.

(7) Interagency Levee Task Force (ITF) Activities (370). This class includes participation in CECW-OE identified, event-specific ITF, as mandated by the Office of Management Budget (OMB) and the President's Council of Environmental Quality (CEQ).

d. Emergency Water Supplies and Drought Assistance (400). This category includes investigations to determine the eligibility for assistance; the provision of emergency water due to contaminated source problems; well drilling; and transportation of water to farmers, ranchers and political subdivisions within areas determined to be drought distressed by the Assistant Secretary of the Army for Civil Works (ASACW). A request for funding must be accompanied by a request for assistance signed by the Governor of the affected state. For technical assistance only, the request may be signed by an appropriate state official.

(1) Emergency Water Supplies (Contaminated Source) (410). This class includes the costs of providing emergency water to a locality confronted with a source of contaminated water causing or likely to cause a substantial threat to public health and welfare.

(2) Drought Assistance (420). This class includes the costs for the transportation of water from a source to an area that has been determined to be drought distressed. It also provides a temporary account for the costs of well drilling in areas that are determined to be drought distressed until repaid by the farmer, rancher or political subdivision receiving assistance.

(3) Field Investigations (430). This class includes costs for technical assistance, investigation and report preparation costs for potential projects to provide emergency water or drought assistance.

e. Advance Measures (500). This category includes costs for technical assistance, investigation, report preparation and implementation of Advance Measures. A request for funding must be accompanied by a request for assistance signed by the Governor of the affected state. For technical assistance only, the request may be signed by an appropriate state official.

(1) Advance Measures Assistance (510). This class includes the costs of implementing approved Advance Measures projects.

(2) Field Investigations (520). This class includes costs for pre-flood technical assistance to a state(s) or local jurisdiction(s) affected by a potential Advance Measures flood situation, and investigation and report preparation for proposed Advance Measures projects.

f. Hazard Mitigation (600). This category includes costs associated with Hazard Mitigation

Team (HMT) activities, under the direction of FEMA in response to a presidentially-declared disaster or emergency. Within this category, there is only one class, HMT Activities (610). This class includes the costs incurred for all authorized activities associated with participation on, or support to, a HMT. These costs may be incurred by an MSC, Region or by a district at the direction of the MSC or Region.

3-3. Within Cycle Programming. DPP programming, at HQUSACE level only, applies to classes 120 and 140. (Class 120 considers recommendations from the MSC). Programming for classes 110 and 130, within bulk funding guidance from the Director of Civil Works, is the responsibility of the Major Subordinate Commander. Coordination IAW ER 5-1-11 is required.

3-4. Out-of-Cycle Programming.

a. Funding for categories 200-600 is not programmable, since financing of these categories is in response to unpredictable projects/events for which advanced funding requirements cannot be anticipated.

b. Funding for these projects/events will be requested in advance, utilizing the following methods:

(1) Category 200, 300 and 600 requests for direct funds do not require a memorandum or endorsement. A request may be made by either fax or e-mail from the person within the MSC/Region/District with the authority to request the funds. If from a District, it must be forwarded through the MSC/Region for endorsement. The MSC/Region endorsement will be forwarded, via either fax or e-mail only, to CECW-OE for action. Work allowances will be issued to the MSC (and the regional office if appropriate) via fax, with copy furnished to the requesting office. The original will be maintained in the CECW-OE files. The Funding Authorization Document (FAD) will be issued directly to the requesting office by the Deputy Chief of Staff for Resource Management (CERM). All other organizations (e.g., CEWES, Cold Regions Research and Engineering Laboratory (CECRL) will make their requests directly to CECW-OE. The original will be maintained by the requesting organization. The work allowance will be faxed to the requesting organization. Methods of obtaining funds are:

(a) All Class 200. Utilize the form at Appendix D, RMFG.

(b) Class 310, 320 or 330. Utilize the form at Appendix E, RMFG.

© Class 340. In the memo or e-mail request, include: name of project(s), amount, category and class, Corps Work Item Number (CWIN), and event causing need for funds. If bulk funding, see paragraph f below.

(d) Class 350. Utilize the form at Appendix F, RMFG.

- (e) Class 360. Utilize the form at Appendix G, RMFG.
- (f) Class 610. Utilize the form at Appendix H, RMFG.

(2) Category 400 and 500 requests for funds require a formal memorandum from a District. All requests within these two categories must be accompanied by a request for assistance signed by the Governor. (If for class 430 or class 520 technical assistance only, the request may be signed by an appropriate state official). For class 510 only, also attach form at Appendix E, RMFG. Once endorsed by the MSC/Region, the request will be faxed to CECW-OE for review and action. If the action is approved, the reply will also serve as the work allowance letter, which will be issued to the MSC (and the regional office if appropriate) via fax, with copy furnished to the requesting office. The original will be maintained in the CECW-OE files. The FAD will be issued directly to the requesting office by CERM.

c. The suddenness of an event may require immediate actions by a District Commander. The following actions will be taken to ensure that a District will be able to begin its emergency response mission when a disaster strikes with little or no warning (e.g., an earthquake). This prescription is applicable only to emergency work funded by class 210.

(1) For MVD Only: Flooding on the Mississippi River will result in utilization of appropriation 96X3112, MR&T, as described above.

(2) When neither time nor circumstance permits advance request of funds, then, while the request is being expedited, a District Commander may reprogram any category of FC&CE funds up to the balance available to the District, subject to the monetary limitation in Appendix D of this ER.

(3) Verbal authorizations from CECW-OE for a work allowance and FAD may be issued and accepted during non-duty hours or in extenuating circumstances. When an authorized verbal FAD and work allowance are received, the responsible MSC will prepare a written summary of the conversation. If the action is to be forwarded to a District, the MSC will provide a copy of the summary to that District's Emergency Manager. A copy will also be provided to the appropriate Resource Management Office. The summary will include the amount of the funds received, request number, event, CWIN 005480, the name of the person providing the approval, and the date and time received. CECW-OE will expedite the processing of a written work allowance. Working with CERM, CECW-OE will assure that the computer-generated FAD is issued in a timely manner.

(4) As a last resort, after the sources in subparagraphs (1) and (2) are exhausted, or if CECW-OE is not available to effect the action in subparagraph (3) above, a District Commander may, as a temporary measure, charge the District's class 210 costs to available allotment of another flood control appropriation (i.e., 96X3121 General Investigations, 96X3122 Construction, General, and 96X3123 Operation and Maintenance, General) subject to the balance of the monetary limitation in Appendix D (after reprogramming).

(5) Civil Works Revolving Fund (96X4902) will not be used.

d. After PIR approval for classes 310, 320 and/or 330, funds will be requested from CECW-OE for engineering and design (E&D) activities only. After bids have been opened and a contractor chosen, funds will be requested by the District and endorsed by the Division/Region for construction and related costs (construction contingency, supervision and administration). See Appendix E, RMFG, for format.

e. Once a PIR has been approved for an Advance Measures class 510 request, funding may be provided for all construction related costs (i.e., construction contracts, contingency, supervision and administration and engineering and design). See Appendix E, RMFG, for format.

f. Bulk funding may be requested for classes 340, 350, 430, and 520. Class 430 and 520 requests may be either on a state-by-state or project basis. The letter from the Governor (or for class 430 or class 520 technical assistance only, an appropriate state official) requesting such assistance must accompany the funding request. When bulk funding is requested, a CWIN will be established for that flood or drought season. For classes 430 and 520, CWINs will be established on a state-wide basis. It is not necessary to identify costs separately for proposed projects. Bulk funding will not be used in computing the benefit-cost ratio (BCR) for the project approval. See Appendix G, RMFG.

g. Incentive Awards. Monetary awards, honorary medals, certificates and/or pins for exceptional work performed by any USACE employee incidental to a disaster when performed under FC&CE or the Stafford Act, will be funded under class 210. Employee recognition and funding is governed by one of the two tiers below:

(1) Aggregate cost of group and individual awards up to \$1,000 (per event): District Commander discretion within funds provided.

(2) Aggregate cost of group and individual awards, or single individual awards greater than \$1,000 (per event): Pre-approval (and funds, if necessary) from the Chief, Operations Division, Directorate of Civil Works, HQUSACE (CECW-O).

3-5. Reprogramming. Reprogramming authority and related reporting requirements are detailed in ER 11-2-201.